

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION

JAMES CURRY, JR.

PLAINTIFF

V.

CIVIL NO. 1:20-CV-167-SA-DAS

WALMART AMORY, et al.

DEFENDANTS

ORDER

On consideration of the file and records in this action, the Court finds that the Report and Recommendation of the United States Magistrate Judge dated February 24, 2021, was on that date duly served by first class mail upon the plaintiff; that more than fourteen days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by the plaintiff. The Court is of the opinion that the Report and Recommendation should be approved and adopted as the opinion of the Court.

Accordingly, it is hereby ORDERED as follows:

1. That the Report and Recommendation of the United States Magistrate Judge dated February 24, 2021, be, and it is hereby, approved and adopted, and that the proposed findings of fact and conclusions of law are hereby, adopted as the findings of fact and conclusions of law of the Court.

2. The plaintiff in this action has failed to set forth allegations to establish subject matter jurisdiction in this court. Additionally the plaintiff was prohibited from filing any action *in forma pauperis*, without prior leave of one of the judges of the court. Because he failed to obtain such permission, the action should be dismissed.

3. The application to proceed *in forma pauperis* is denied. This action is dismissed *without prejudice*.

SO ORDERED, this the 11th day of August, 2021.

/s/ Sharion Aycock  
UNITED STATES DISTRICT JUDGE